## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF PUERTO RICO

STORAGE PARTNERS #1, S.E.,

Plaintiff,

**CIVIL NO. 05-2149(DRD)** 

v.

## THE RABCO CORPORATION, ABC CORPORATION,

Defendants.

MOTION		RULING
<b>Date</b> <b>Filed:</b> 02/28/06		GRANTED. Plaintiffs in the instant case filed a motion for change of venue pursuant to 28 U.S.C. §§ 1404(b), and 1406(a).
[X] Plff	[] Deft	Understanding that defendants had also
[] Other		requested change of venue to the appropriate
Title: MOTION FOR CHANGE OF VENUE (Docket No. 12)		court of jurisdiction in Orange County, Florida pursuant to the existing mandatory forum-selection clause between the parties (Docket No. 8), the Court deems the request for change of venue as a consented request for change of venue. Accordingly the Court now DISMISSES the instant claim WITHOUT PREJUDICE for improper venue and under the understanding that the parties will file the present claim in the appropriate forum. Hence, the parties are to commence this action in the proper venue – the United States District Court for the Middle District of Florida.  Judgment will be issued accordingly.

IT IS SO ORDERED.

Date: February 28, 2006

S/ Daniel R. Dominguez

DANIEL R. DOMINGUEZ

U.S. DISTRICT JUDGE